

Makes Sense," which appeared in the Friday, June 25, 1999, edition of the Lincoln Journal Star.

#### COURT RULING ON DISABILITY MAKES SENSE

The U.S. Supreme Court decided this week that there is no requirement under the Americans With Disabilities Act that more than half the nation's population be classified as disabled.

That's a victory for common sense.

Ruling in four cases at once, the court concluded that Congress did not intend to have individuals who wear glasses, or people who have high blood pressure, given the same protections under the ADA as people who have disabilities such as blindness or paraplegia.

If Congress had intended to include those individuals, the court said, it would have estimated the number of people covered by the law at more than 160 million, instead of 43 million.

In one case considered by the court, United Airlines refused to hire two nearsighted sisters. Without glasses, their eyesight was worse than the 20/100 required by the airline. In another case a truck driver who could see out of only one eye was dismissed from that job. In the third case, a truck driver was dismissed because of high blood pressure.

Creating physical criteria for a job, the court noted, does not violate the ADA. "An employer is free to decide that physical characteristics or medical conditions that do not rise to the level of an impairment—such as one's height, build or singing voice—are preferable to others," wrote Justice Sandra O'Connor in the majority opinion. And who wouldn't prefer to have pilots who can see even if they lose their contacts or break their glasses?

The ADA has had a tremendous and largely positive effect on society. It made life more fair for citizens with disabilities by making public buildings accessible by wheelchair and protecting them from unnecessary discrimination in employment.

Advocates for the disabled profess to be outraged by the ruling. Georgetown University law professor Chai Feldblum, who helped draft the language of the ADA, even contends that Congress did intend to cover correctable impairments like those remedied by spectacles and medication.

Those advocates, however, would stretch the ADA beyond the limit of common sense and open employers to a broad new field of litigation. They would trivialize the original purposes of the law, and give nearly every employee the right to demand changes in the way an employer assigns and structures jobs.

The Supreme Court ruling is a welcome clarification of an ambiguous law. It closes the door on a potential new flood of lawsuits, and preserves the ADA for those who need its protection the most.

#### TRIBUTE TO SERGEANT DERK STRIKWERDA

#### HON. RON PACKARD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 29, 1999*

Mr. PACKARD. Mr. Speaker, I would like to pay tribute to Sergeant Derk Strikwerda, a distinguished veteran of World War II and the Korean War. Sgt. Strikwerda has distinguished himself for his valor and dedication to others.

In 1943, Sgt. Strikwerda joined C Company of the 513th Parachute Infantry Regiment where he was immediately put into combat at

the Battle of the Bulge. After over half of his company was killed, Sgt. Strikwerda helped repel advancing German infantry from a tree ridge despite being ravaged by frostbite and dysentery.

During an ensuing Allied retreat, Sgt. Strikwerda witnessed extraordinary acts of bravery by fellow soldiers that left an indelible imprint on his memory. Over 50 years later, these experiences drove Sgt. Strikwerda to mount a vigorous campaign to see that his fellow soldiers were properly honored for their remarkable acts of courage. Through his selfless sacrifice, Sgt. Strikwerda represents the best in human achievement.

Mr. Speaker, it is an honor to acknowledge Sgt. Strikwerda, a true American patriot. I would like to thank him for his remarkable bravery when defending our nation and devotion to his fellow soldiers.

#### STATEMENT OF CONCERN OVER KASHMIR CONFLICT

#### HON. DAVE WELDON

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 29, 1999*

Mr. WELDON of Florida. Mr. Speaker, I rise today to draw attention to the Members of Congress the increasing tension in the Kashmir region, between India and Pakistan. Several weeks ago several hundred armed Afghani and Mujahideen infiltrators, backed by Pakistan, crossed the line-of-control (LOC) into the Kargila and Drass regions of Kashmir, India.

Mr. Speaker, this invasion runs counter to the Lahore Declaration, which is aimed at developing peaceful relations and cooperation between India and Pakistan. The agreement, signed last February, reiterates the commitment of both India and Pakistan to solve their differences and oppose terrorism in the region.

It is particularly disturbing to me that the government of Pakistan appears to have provided the armed infiltrators into Kashmir with support, both military and financial. This is deeply troubling in view of efforts to secure peace in the region.

This aggression against India should be undone so that stability can be restored. The infiltrators should immediately withdraw and Pakistan should respect the LoC and reaffirm and adhere to the commitments made in the Lahore Declaration. I encourage both countries to pursue a diplomatic solution and refrain from action which might escalate the fighting even more. I call on the Administration and my colleagues in Congress to fully support an immediate withdrawal from India. India and Pakistan should be taking positive steps toward resolving the crisis in Kashmir, and resume substantive bilateral talks.

#### HONORING CARL A. BALESTRACCI, JR., ON THE OCCASION OF HIS RETIREMENT

#### HON. ROSA L. DeLAURO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 29, 1999*

Ms. DELAURO. Mr. Speaker, it is with great pleasure that I rise today to join in paying trib-

ute to one of Connecticut's finest school administrators and community activists. People like Carl Balestracci are what make communities strong. From his important work educating the young people of Guilford for the past 32 years to his community involvement in many other settings, he has dedicated his life to the people of Guilford.

I often speak of our nation's need for talented, creative, enthusiastic teachers who are ready to help our children learn and grow. My good friend Carl is just that kind of educator. Throughout his career, he has touched the lives of thousands of children from elementary school to high school. Carl began as a special education teacher in New Haven—working with some of our community's most vulnerable children. He has been leading the fine Guilford schools for nearly two decades, and the most important testament to his talent is the capability of the intelligent young people that have emerged from these schools.

Public education is the cornerstone of the American dream, leveling the playing field and providing every child with the opportunity to make the most of his or her talents. It is talented professionals like Carl who truly shape the leaders of tomorrow. He is dedicated to the positive development of not only our children's intellect, but their character development as well. As a participant in the Assets Program along with leaders from the Guilford Police, local clergy, and other educators, he has led a community wide effort to foster strong values and character in our youth.

As a lifelong resident of Guilford, Carl is deeply involved in the life of our community. His active participation in the Democratic Town Committee, the Police Commission, and the Fire and Drum Corps have made him so visible and highly-regarded that I am sure many would agree that Carl Balestracci is truly a Guilford institution.

Today, as Carl celebrates his retirement, I would like to express my deepest thanks and appreciation for his tireless efforts for the town of Guilford. He is a community leader who is second to none, and his talent and commitment have truly left our community a better place. It is with great pride that I join friends and family to wish Carl many more years of health and happiness.

#### A TRIBUTE TO VINCENT BERGAMO

#### HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 29, 1999*

Mr. GILMAN. Mr. Speaker, I rise today to invite our colleagues to join me in honoring Vincent Bergamo, a great American who has spent his life promoting and upholding the principles of fairness and opportunity in the sport of harness racing.

Judge Bergamo is to be honored in Goshen, N.Y. on July 4th at the Harness Hall of Fame Dinner, where he is to receive the coveted Proximity Award for long and outstanding service to the sport of harness racing. The award, in itself, is a microcosm of the splendid career that has defined Vincent's life. Beginning in 1958 at our Monticello Raceway, Vincent has always been a part of the harness racing family. His love and admiration for the sport, first gained as a youngster when he